

50 Rockefeller Plaza  
New York, NY 10020-1605  
212.940.8800 tel  
www.katten.com

August 12, 2024

**VIA ECF**

Chief Judge Margo K. Brodie  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

CHRISTOPHER T. COOK  
christopher.cook@katten.com  
212.940.6488 direct  
212.940.8776 fax

**Re: *State Farm Mut. Auto. Ins. Co. v. Metro Pain Specialists P.C.*, 21-cv-5523 (E.D.N.Y.) –  
Status Update re Order to Show Cause**

Dear Chief Judge Brodie,

Pursuant to this Court's text order dated August 2, 2024, Plaintiffs State Farm Mutual Automobile Insurance Company and State Farm Fire and Casualty Company (together, "Plaintiffs") respectfully write with a status update regarding Dr. Michael Alleyne's compliance with Plaintiffs' subpoena *duces tecum*. Dr. Alleyne still has not responded to or otherwise complied with Plaintiffs' subpoena and no date by which he will comply has been provided. Plaintiffs therefore respectfully request the Court set a new deadline by which Dr. Alleyne must show cause in writing why the Court should not hold him in contempt for failing to comply with Plaintiffs' subpoena.

As background, on July 23, 2024, this Court adopted the report and recommendation of Magistrate Judge Kuo on Plaintiffs' motion for an order to show cause and ordered Dr. Alleyne to show cause in writing on or before August 2, 2024, why the Court should not hold him in contempt for failing to comply with Plaintiffs' subpoena. Dkt. 601. On August 2, counsel for Dr. Alleyne submitted a letter to the Court advising that the parties were working together to resolve the matter without the need for further judicial intervention. Dkt. 605. On that same date, the Court entered an order staying the deadline by which Dr. Alleyne must show cause and directing the parties to provide a status update on Dr. Alleyne's compliance by August 14.

Since the Court's order dated August 2, Plaintiffs met and conferred with counsel for Dr. Alleyne and were advised that counsel had been unable to contact Dr. Alleyne regarding the subpoena, did not know Dr. Alleyne's whereabouts, and would no longer be representing Dr. Alleyne regarding Plaintiffs' subpoena. As Plaintiffs have been unable to obtain compliance from Dr. Alleyne, they respectfully request the Court set a new deadline by when Dr. Alleyne must show cause in writing why the Court should not hold him in contempt for failing to comply with Plaintiffs' subpoena.

Respectfully submitted,

/s/ Christopher T. Cook

Christopher T. Cook

cc: Christopher Terzian (via email)  
Dr. Michael Alleyne (via FedEx)